

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

AMALGAMATED LIFE INSURANCE COMPANY,

Plaintiff,

-against-

KEISHA BOATSWAIN; KAWESI BOATSWAIN;
EUNEL TANNIS-BOATSWAIN; ROSAVAL
BOATSWAIN; and MELONI BOATSWAIN,

Defendants.

17-cv-00091(PKC)(ST)

**MOTION FOR
DEFAULT JUDGMENT**

Plaintiff Amalgamated Life Insurance Company hereby moves this Court pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2 to enter a Default Judgment in favor of Plaintiff and against Defendant Eunel Tannis-Boatswain dismissing Defendant Eunel Tannis-Boatswain from this action, and enjoining and restraining Defendant Eunel Tannis-Boatswain and her agents, attorneys, representatives, assigns and all other persons claiming by, through, or under her or any of them, from instituting or prosecuting further any proceeding in this Court or any other court of law or in equity against the Plaintiff on account of the Life Insurance Policy at issue in this action; and against Defendant Rosaval Boatswain dismissing Defendant Rosaval Boatswain from this action and enjoining and restraining Defendant Rosaval Boatswain and her agents, attorneys, representatives, assigns and all other persons claiming by, through, or under her or any of them, from instituting or prosecuting further any proceeding in this Court or any other court of law or in equity against the Plaintiff on account of the Life Insurance Policy at issue in this action; and against Defendant Meloni Boatswain, dismissing Defendant Meloni Boatswain from this action, and enjoining and restraining Defendant Meloni Boatswain and her agents, attorneys, representatives, assigns and all other persons claiming by,

through, or under her or any of them, from instituting or prosecuting further any proceeding in this Court or any other court of law or in equity against the Plaintiff on account of the Life Insurance Policy at issue in this action, on the grounds that said Defendants failed to answer or otherwise defend against the Complaint.

Dated: September 15, 2017

White Plains, New York

Respectfully submitted,

**AMALGAMATED LIFE INSURANCE
COMPANY, Plaintiff**

By: 

David C. Sapp, Esq. (DS 5281)

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TO: Eric Dinnocenzo, Esq.
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Ms. Eunel Tannis-Boatwain
1628 East 92nd Street (Side Entrance)
Brooklyn, New York 11236

Ms. Rosaval Boatwain
209-21 Hollis Avenue - 1st Floor
Queens Village, New York 11429

Ms. Meloni Boatwain
1687 Howard Place
Baldwin, New York 11510

UNITED STATES DISTRICT COURT
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KEISHA BOATSWAIN; KAWESI BOATSWAIN;
EUNEL TANNIS-BOATSWAIN; ROSAVAL
BOATSWAIN; and MELONI BOATSWAIN,

Defendants.

17-cv-00091(PKC)(ST)

DEFAULT JUDGMENT

This action having been commenced on January 6, 2017 by the filing of a Complaint, and Plaintiff Amalgamated Life Insurance Company having served copies of the Summons and Complaint on Defendant Eunel Tannis-Boatswain by personal service upon Defendant Eunel Tannis-Boatswain at her usual place of abode on January 10, 2017, and proof of such service was filed with the Court on January 19, 2017, and Plaintiff having served copies of the Summons and Complaint on Defendant Rosaval Boatswain by personal service upon her daughter Keisha Boatswain, a co-resident of Defendant Rosaval Boatswain, at Defendant Rosaval Boatswain's usual place of abode on March 2, 2017 and by mailing a copy of the Summons and Complaint by first-class mail to Defendant Rosaval Boatswain at her usual place of abode on March 2, 2017 pursuant to Rule 4(e)(2)(B) of the Federal Rules of Civil Procedure, and proof of such service was filed with the Court on March 22, 2017, and Plaintiff having served copies of the Summons and Complaint on Defendant Meloni Boatswain by personal service upon Betty Speights, Defendant Meloni Boatswain's mother and co-resident of Defendant Meloni Boatswain, at Defendant Meloni Boatswain's usual place of abode on March 2, 2017 and by mailing a copy of

the Summons and Complaint by first-class mail to Defendant Meloni Boatswain at her usual place of abode on March 2, 2017 pursuant to Rule 4(e)(2)(B) of the Federal Rules of Civil Procedure, and proof of such service was filed with the Court on March 22, 2017, and Defendant Eunel Tannis-Boatswain not having appeared, answered, or moved with respect to the Complaint and the time for Defendant Eunel Tannis-Boatswain to appear, answer or move having expired, and Defendant Rosaval Boatswain not having appeared, answered, or moved with respect to the Complaint and the time for Defendant Rosaval Boatswain to appear, answer or move having expired, and Defendant Meloni Boatswain not having appeared, answered, or moved with respect to the Complaint and the time for Defendant Meloni Boatswain to appear, answer or move having expired, and Plaintiff having filed and served its Motion for Default Judgment against Defendant Eunel Tannis-Boatswain and Defendant Rosaval Boatswain and Defendant Meloni Boatswain; it is

NOW, THEREFORE, upon application of the Plaintiff and upon reading the Affidavit of David C. Sapp, Esq., duly sworn the 15th day of September 2017 and the exhibits annexed thereto, and the Certificate of Douglas C. Palmer, Clerk of Court, United States District Court for the Eastern District of New York, noting the default of Defendant Eunel Tannis-Boatswain and Defendant Rosaval Boatswain and Defendant Meloni Boatswain, for failure to appear, answer or otherwise move with respect to the Complaint, and for other good cause being shown, it is hereby,

ORDERED, ADJUDGED AND DECREED, that Plaintiff have judgment against Defendant Eunel Tannis-Boatswain, dismissing Defendant Eunel Tannis-Boatswain from this action, and enjoining and restraining Defendant Eunel Tannis-Boatswain and her agents, attorneys, representatives, assigns and all other persons claiming by, through, or under her or any

of them, from instituting or prosecuting further any proceeding in this Court or any other court of law or in equity against the Plaintiff on account of the Life Insurance Policy at issue in this action; and

ORDERED, ADJUDGED AND DECREED, that Plaintiff have judgment against Defendant Rosaval Boatswain, dismissing Defendant Rosaval Boatswain from this action, and enjoining and restraining Defendant Rosaval Boatswain and her agents, attorneys, representatives, assigns and all other persons claiming by, through, or under her or any of them, from instituting or prosecuting further any proceeding in this Court or any other court of law or in equity against the Plaintiff on account of the Life Insurance Policy at issue in this action; and

ORDERED, ADJUDGED AND DECREED, that Plaintiff have judgment against Defendant Meloni Boatswain, dismissing Defendant Meloni Boatswain from this action, and enjoining and restraining Defendant Meloni Boatswain and her agents, attorneys, representatives, assigns and all other persons claiming by, through, or under her or any of them, from instituting or prosecuting further any proceeding in this Court or any other court of law or in equity against the Plaintiff on account of the Life Insurance Policy at issue in this action

Dated: _____, 2017
Brooklyn, New York

SO ORDERED:

Honorable Pamela K. Chen
United States District Judge